

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LYNNE THOMPSON,	)	
	)	Civil Action No. 12-958
Plaintiff,	)	
	)	
vs.	)	
	)	Judge Arthur J. Schwab/
TODD J. HOLLIS	)	Magistrate Judge Maureen P. Kelly
	)	
Defendant.	)	

**MEMORANDUM ORDER**

The above-captioned prisoner civil rights complaint was received by the Clerk of Court on July 11, 2012, and was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation, ECF No. 3, filed on August 24, 2012, recommended that Plaintiff's IFP application be denied because she has three strikes and that she be made to pay the filing by a date certain and further, if she fails to do so, her complaint should be dismissed for failure to prosecute. Service was made on the Plaintiff at her address of record. Plaintiff was given until September 10, 2012 by which to file objections. No objections were received by the Court on that date, so consequently on September 14, 2012, the Court adopted the Report and denied Plaintiff's IFP motion and ordered her to pay the filing fee by September 24, 2012 or face dismissal. ECF No. 4.

On September 26, 2012, Plaintiff filed a Motion for Extension of Time ("the Motion"), ECF No. 5, which was ostensibly signed by her on September 19, 2012. In the Motion, Plaintiff

explained that she had in fact sent objections to the Court on or about September 1, 2012. ECF No. 5 at 3. Plaintiff further explained that she prepared another set of objections (the “Replacement Objections”) but was fearful that they would not arrive by the September 24, 2012 deadline. Id.

In light of the foregoing, the Court granted the Motion and vacated the prior Order Adopting the Report and directed Plaintiff to file her objections by October 24, 2012 and warning her that failure to file objections by that date will result in the adoption of the Report and an order requiring Plaintiff to pay the entire filing fee by a date certain or face dismissal. ECF No. 6.

No objections having been filed, it is hereby ordered this 31<sup>st</sup> day of October, 2012, that the Report, ECF No. 3, filed by Magistrate Judge Kelly is adopted as the opinion of the Court, Plaintiff’s Motion for Leave to Proceed IFP is DENIED, because Plaintiff has three strikes and Plaintiff is hereby ORDERED to pay the entire filing fee by November 11, 2012. Failure to pay the filing fee will result in the case being dismissed for failure to prosecute without further warning. Plaintiff is also advised that the filing of a Motion to Reconsider this order will not extend the deadline to pay the filling fee if the Court denies the Motion to Reconsider.

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: Maureen P. Kelly  
United States Magistrate Judge

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